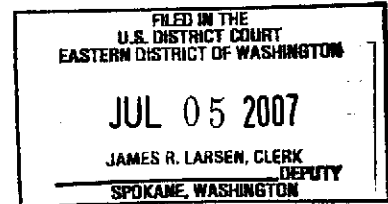


United States District Court

for the

Eastern District of Washington**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Renee Dawn Tosh

Case Number: 2:03CR00108-001

Name of Sentencing Judicial Officer: The Honorable Justin L. Quackenbush, Senior U.S. District Judge

Date of Original Sentence: 11/14/2003

Type of Supervision: Supervised Release

Original Offense: Bank Fraud, 18 U.S.C. § 1344(1)

Date Supervision Commenced: 11/14/2003

Original Sentence: Prison - 7 Months; TSR - 48
Months

Date Supervision Expires: 2/26/2009

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 21 You shall reside in a residential reentry center for a period of up to 45 days. This placement may include a prerelease component, day reporting, and home confinement (with or without electronic monitoring, but not to include GPS) at the directions of the CCM and USPO. You shall abide by the rules and requirements of the facility. You shall remain at the facility until discharged by the Court.
- 22 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance.

CAUSE

Renee Tosh violated the conditions of her supervised release by consuming marijuana on or about May 23, May 24, June 16, and June 22, 2007, contrary to standard condition #7. She also violated conditions of her supervised release by failing to answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer on or about June 21, 2007, contrary to standard condition #3.

On May 23, 2007, Renee Tosh was directed to appear in the U.S. Probation Office for a urinalysis test. At that time, Supervising U.S. Probation Officer (SUSPO), Gayla Hunt, collected the specimen which showed presumptive positive for marijuana. Renee Tosh admitted to SUSPO Hunt and the undersigned officer that she attempted to manipulate the phase urine testing program by consuming a substance that would conceal detection of any illicit drugs. In fact, Ms. Tosh became ill while in the office after ingesting the unknown substance. Consequently, the specimen was sent to a laboratory for confirmation and revealed positive result for marijuana metabolites. Renee Tosh signed an admission of drug use form acknowledging marijuana use on May 18 and June 14, 2007.

Prob 12B

Re: Tosh, Renee Dawn**July 3, 2007****Page 2**

On April 11, 2006, Renee Tosh was given permission to have contact with James Ayers, who is also under Federal supervision in Spokane, Washington. At that time, Mr. Ayers was supervised by U.S. Probation Officer Richard Law who concurred with allowing contact between both. Mr. Ayers' supervision has since been transferred to U.S. probation officer Sam Najera.

On June 16, 2007, Renee Tosh again submitted a urine specimen that ultimately showed positive for marijuana metabolites. Immediate concern developed when Ms. Tosh denied additional marijuana use following the confirmed test from May 23, 2007. Eventually, Ms. Tosh admitted to consuming marijuana and signed an admission of drug use form acknowledging additional use. In elaborating, she mentioned that consistent use of marijuana had taken place prior to the May 23, 2007, test. Renee Tosh also admitted that Mr. James Ayers allegedly consumed alcohol and illicit drugs with her.

On June 29, 2007, an intervention meeting was conducted by U.S. Probation Officer Sam Najera and the undersigned. Renee Tosh and James Ayers attended the meeting. Both were confronted with their change in attitude and noncompliant behavior. They appeared willing to accept responsibility for their actions and admitted the intervention was needed. Renee Tosh was asked if she would participate in a residential reentry center (RRC) for up to 45 days in order to address her ongoing substance abuse needs. In addition, she agreed to abstain from alcohol and to submit to testing pursuant to the undersigned officer's request. On June 29, 2007, Renee Tosh signed a waiver of hearing agreeing to participate in a RRC for a period up to 45 days. The offender is amenable to substance abuse counseling and residing in a stable environment while addressing her drug abuse issues. The undersigned officer will facilitate placement at the Bannum Place if Your Honor concurs. It is expected that Ms. Tosh will participate in chemical dependency treatment, random urinalysis testing, and/or any additional recommended services put forth by the treatment provider. It is noted that the treatment provider strongly encouraged the undersigned officer to separate Ms. Tosh and Mr. Ayers for a specified period in order to allow both to focus on their sobriety.

It is respectfully recommended that the attached waiver of hearing to modify conditions of supervised release be adopted to require Renee Tosh to reside in, and satisfactorily participate in, a residential reentry center program as a condition of supervised release for up to 45 days. Additionally, it is recommended that she abstain from alcohol and submit to testing for the remainder of supervision.

It is hoped that the intermediate sanctions imposed meets with the expectations of the Court. Please advise this officer should Your Honor require a different course of action or a Court appearance by the defendant.

Respectfully submitted,

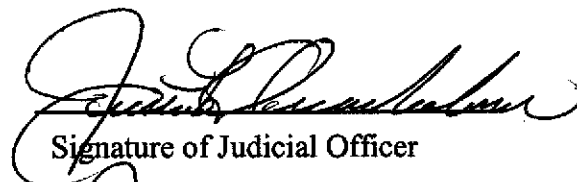
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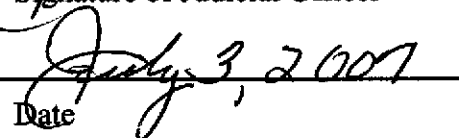


Tommy Rosser
U.S. Probation Officer
Date: July 3, 2007

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other


Signature of Judicial Officer


Date